



STATE OF ARIZONA

JANET NAPOLITANO  
GOVERNOR

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May 1, 2007

The Honorable Jim Weiers  
Speaker of the House  
Arizona House of Representatives  
1700 West Washington  
Phoenix, Arizona 85007

Re: House Bill 2589: criminal trespass; day laborers

Dear Speaker Weiers:

Today I vetoed House Bill 2589, which, among other things, would have subjected persons to criminal trespass penalties for soliciting personal employment on or adjacent to public streets.

While I recognize the need to stop unlawful employment practices that fuel demand for illegal immigration, this bill is vague, overbroad, and discriminatory. The bill's title says it applies to "day laborers," but those words are found nowhere in the text of the legislation; and in fact, the bill applies to any Arizona adult citizen seeking work while standing adjacent to a public street. Absent exceptional circumstances, hard working Arizonans willing to "pound the pavement" to find lawful work should not be subject to criminal penalties.

I also note that the bill specifically allows such solicitations if the person seeking the work is under 18 years of age. There is no rational basis for discriminating on the basis of age for this type of conduct, and I am concerned that House Bill 2589 would therefore be found unconstitutional.

For these and other reasons, I have vetoed House Bill 2589.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano".

Janet Napolitano  
Governor

JN:TAN/jm

cc: The Honorable Tim Bee  
The Honorable John Kavanagh